

apply to a modification of the conditions of parole

(1) Following a revocation hearing,

(2) Upon a finding that immediate modification of the conditions of parole is required to prevent harm to the parolee or the public, or

(3) In response to a request by the parolee under paragraph (f) of this section.

\* \* \* \* \*

Dated: September 21, 1995.

Jasper R. Clay, Jr.,

*Vice Chairman, U.S. Parole Commission.*

[FR Doc. 95-24196 Filed 9-29-95; 8:45 am]

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## 28 CFR Part 2

### Paroling, Recommitting, and Supervising Federal Prisoners: Pre-Release Reviews of Parole Dates

**AGENCY:** Parole Commission, Justice.

**ACTION:** Final rule.

**SUMMARY:** The U.S. Parole Commission is changing the definition of the term "effective date of parole" to refer to a parole that has been given final approval, without further review, within nine months of the prisoner's scheduled release. Under the current rule, the final review and approval of a parole date can only occur within six months of the prisoner's release. Until such final review and approval, a parole date is presumptive only. The purpose of this rule change is to streamline the review process, and to avoid delays in the release planning efforts of prison staff. It does not otherwise change the paroling practices of the Commission.

**EFFECTIVE DATE:** November 1, 1995.

**FOR FURTHER INFORMATION CONTACT:** Pamela A. Posch, Office of General Counsel, U.S. Parole Commission, 5550 Friendship Blvd., Chevy Chase, Maryland 20815. Telephone (301) 492-5959.

**SUPPLEMENTARY INFORMATION:** Under the federal parole system, an eligible prisoner (*i.e.*, a prisoner whose crime was committed prior to November 1, 1987), may be given a presumptive parole date up to fifteen years in advance. The date is "presumptive" because it is subject to periodic interim hearings under 18 U.S.C. 4208(h), and to a final pre-release review and approval six months prior to the scheduled release of the prisoner. 28 CFR 2.14(b).

The Bureau of Prisons submits a progress report on each prisoner who has a presumptive parole date, six to nine months in advance of that date. Because 28 CFR 2.1(h) requires the

Commission to delay its review until 180 days prior to the date, delays can occur in the release planning efforts of Bureau of Prisons staff. In order to avoid such delays, the Commission has decided to amend 28 CFR 2.1(h) to permit the Commission to convert a presumptive date of parole to an effective date of parole (*i.e.*, a parole date that is not subject to further review) nine months prior to that date. Certain other rules are also amended, in order to conform with this change.

### Executive Order 12866 and Regulatory Flexibility Statement

The U.S. Parole Commission has determined that this rule is not a significant rule within the meaning of Executive Order 12866, and the rule has, accordingly, not been reviewed by the Office of Management and Budget. The rule will not have a significant economic impact upon a substantial number of small entities, within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

### List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Probation and parole, Prisoners.

Accordingly, the U.S. Parole Commission adopts the following amendments to 28 CFR Part 2:

### The Final Rule

### PART 2—[AMENDED]

1. The authority citation for 28 CFR Part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

2. 28 CFR Part 2, § 2.1(h) is revised to read as follows:

#### § 2.1 Definitions.

\* \* \* \* \*

(h) The term *effective date of parole* refers to a parole date that has been approved following an in-person hearing held within nine months of such date, or following a pre-release record review.

\* \* \* \* \*

#### § 2.12 [Amended]

3. 28 CFR Part 2, § 2.12(a) is amended by substituting "nine months" for "six months."

#### § 2.14 [Amended]

4. 28 CFR Part 2, § 2.14(a)(1)(ii) is amended by substituting "nine months" for "six months" wherever the latter words occur.

5. 28 CFR Part 2, § 2.14(a)(2)(iv) is amended by substituting "nine months" for "six months."

6. 28 CFR Part 2, § 2.14(b)(3) is amended by substituting "nine months" for "six months" wherever the latter words occur.

### § 2.29 [Amended]

7. 28 CFR Part 2, § 2.29(b) is amended by substituting "nine months" for "six months."

Dated: September 21, 1995.

Jasper R. Clay, Jr.,

*Vice Chairman, U.S. Parole Commission.*

[FR Doc. 95-24194 Filed 9-29-95; 8:45 am]

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## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### 29 CFR Part 1602

### Records and Reports

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Notice of extension of deadline for filing report.

**SUMMARY:** Notice is hereby given that the deadline for filing the 1995 State and Local Government Information Report (EEO-4) required by 29 CFR 1602.32 is extended from September 30, 1995 to October 31, 1995. There is no change in the reference period used for information reported (*i.e.*, payroll period which includes June 30, 1995).

**EFFECTIVE DATE:** October 2, 1995.

**FOR FURTHER INFORMATION CONTACT:** Joachim Neckere, Director, Program Research and Surveys Division, at (202) 663-4958 (voice) or (202) 663-7063 (TDD).

For the Commission.

Dated: September 26, 1995.

Gilbert F. Casellas,

*Chairman.*

[FR Doc. 95-24432 Filed 9-29-95; 8:45 am]

BILLING CODE 6750-01-M

### 29 CFR Part 1602

### Records and Reports

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Notice of extension of deadline for filing report.

**SUMMARY:** Notice is hereby given that the deadline for filing the 1995 Employer Information Report (EEO-1) required by 29 CFR 1602.7 is extended from September 30, 1995 to October 31, 1995. There is no change in the reference period used for information reported (*i.e.*, third quarter of the

calendar year or another period that has been or is approved by the Commission).

**EFFECTIVE DATE:** October 2, 1995.

**FOR FURTHER INFORMATION CONTACT:** Joachim Neckere, Director, Program Research and Surveys Division, at (202) 663-4958 (voice) or (202) 663-7063 (TDD).

For the Commission.

Dated: September 26, 1995.

Gilbert F. Casellas,  
Chairman.

[FR Doc. 95-24431 Filed 9-29-95; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[Region II Docket No. 141; NJ21-1-7065a, FRL-5306-6]

#### Approval and Promulgation of Implementation Plans; The 1990 Base Year Ozone Emissions Inventory for New Jersey

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** EPA is approving revisions to the New Jersey State Implementation Plan (SIP) pertaining to the 1990 base year ozone precursor emission inventory. The inventories were submitted by New Jersey as part of New Jersey's plan to attain the national ambient air quality standard (NAAQS) for ozone in the Atlantic City, New York/Northern New Jersey/Long Island, Philadelphia/Wilmington/ Trenton, and Allentown/Bethlehem/Easton areas of New Jersey.

**DATES:** This final rule is effective on December 1, 1995, unless adverse or critical comments are received by November 1, 1995. If the effective date is delayed, timely notice will be published in the Federal Register.

**ADDRESSES:** All comments should be addressed to: William S. Baker, Chief, Air Programs Branch, Environmental Protection Agency, Region II Office, 290 Broadway 20th Floor, New York, New York, 10007-1866.

Copies of the State submittal are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency,  
Region II Office, Air Programs Branch,  
290 Broadway 20th Floor, New York,  
New York 10007-1866.  
New Jersey Department of  
Environmental Protection, Office of

Air Quality Management, Bureau of  
Air Quality Planning, 401 East State  
Street, CN418, Trenton, New Jersey  
08625.

Environmental Protection Agency, Air  
and Radiation Docket and Information  
Center, 401 M Street, SW.,  
Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:**  
Demian Ellis, Air Programs Branch,  
Environmental Protection Agency, 290  
Broadway 20th Floor, New York, New  
York 10007-1866, (212) 637-4249.

#### SUPPLEMENTARY INFORMATION:

##### Background

Under the Clean Air Act Amendments of 1990 (the Act), states have the responsibility to inventory emissions contributing to National Ambient Air Quality Standard (NAAQS) nonattainment, to track these emissions over time, and to ensure that control strategies are being implemented that reduce emissions and move areas towards attainment. The Act requires ozone nonattainment areas designated as marginal, moderate, serious, severe, and extreme to submit a SIP revision within three years of 1990 which contains a comprehensive, current, and accurate emission inventory. The 1990 base year emissions inventory is the primary inventory from which the periodic inventory, the Reasonable Further Progress (RFP) projection inventory, and the modeling inventory are derived. Further information on these inventories and their purpose can be found in the "Emission Inventory Requirements for Ozone State Implementation Plans," U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina, March 1991. The base year inventory may also serve as part of statewide inventories for purposes of regional modeling in transport areas. The base year inventory plays an important role in modeling demonstrations for areas classified as moderate and above outside transport regions.

The air quality planning requirements for marginal to extreme ozone nonattainment areas are set out in section 182 (a)-(e) of Title I of the Act. EPA has issued a General Preamble describing EPA's preliminary views on how EPA intends to review SIP revisions submitted under Title I of the Act, including requirements for the preparation of the 1990 base year inventory [see 57 FR 13502; April 16, 1992 and 57 FR 18070; April 28, 1992]. Because EPA is describing its interpretation here only in broad terms,

the reader should refer to the General Preamble (57 FR 18070, Appendix B, April 28, 1992) for a more detailed discussion of the interpretations of Title I advanced in today's action and the supporting rationale. In today's rulemaking on the New Jersey ozone base year emissions inventory, EPA is applying its interpretations taking into consideration the specific factual issues presented.

Those states containing ozone nonattainment areas classified as marginal to extreme are required under section 182(a)(1) of the Act to submit a final, comprehensive, current, and accurate inventory of actual ozone season, weekday emissions from all sources by November 15, 1992. This inventory is for calendar year 1990 and is denoted as the base year inventory. It includes both anthropogenic and biogenic sources of volatile organic compound (VOC), nitrogen oxides (NO<sub>x</sub>), and carbon monoxide (CO). The inventory is to address actual VOC, NO<sub>x</sub>, and CO emissions for the area during a peak ozone season, which is generally comprised of the summer months. All stationary point and area sources, as well as highway mobile sources within the nonattainment area, are to be included in the compilation. Available guidance for preparing emission inventories is provided in the General Preamble (57 FR 13498, April 16, 1992).

#### Today's Rulemaking

Section 110(k) of the Act sets out provisions governing EPA's review of base year emission inventory submittals in order to determine approval or disapproval under section 182(a)(1) (see 57 FR 13565-66, April 16, 1992). EPA is approving the 1990 base year ozone emission inventory submitted to EPA for the Atlantic City, New York/Northern New Jersey/Long Island, Philadelphia/Wilmington, Trenton, and Allentown/Bethlehem/Easton nonattainment areas, based upon the review procedures outlined in the next section.

#### A. Criteria for Approval

There are general and specific components of an acceptable emission inventory. In general, the emission inventory must meet certain minimum requirements for reporting each source category. Specifically, the source requirements are detailed below.

A Level I and II review process, which is described in supporting documentation, is used to determine that all components of the base year inventory are present. This review also evaluates the level of supporting